



[Docket No. FR-7061-N-18]

60-Day Notice of Proposed Information Collection: Implementation of the Violence Against Women Reauthorization Act of 2013, OMB Control No.: 2577-0286

AGENCY: Offices of Housing, Public and Indian Housing, and Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

DATES: Comments Due Date: [INSERT DATE THAT IS 60 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER.]

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000; telephone 202-402-3400 (this is not a toll-free number) or email at Colette.Pollard@hud.gov. [A](#) copy of the proposed forms is available from Ms. Pollard. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

FOR FURTHER INFORMATION CONTACT: Leea Thornton, Office of Policy, Program and Legislative Initiatives, PIH, Department of Housing and Urban Development, 451 7th Street, SW., Room 3178, Washington, DC 20410; telephone 202-402-6455. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals

with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>. Copies of available documents submitted to OMB may be obtained from Ms. Thornton.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: Implementation of the Violence Against Women

Reauthorization Act of 2013.

OMB Approval Number: 2577-0286.

Type of Request: Reinstatement, with change, of previously approved collection for which approval has expired.

Form Number: HUD-5380, HUD-5381, HUD-5382, and HUD-5383. Other: Emergency transfer reporting, lease bifurcation, and lease addendum

Description of the need for the information and proposed use: The Violence Against Women Reauthorization Act of 2013 (VAWA 2013), Public Law 113-4, 127 Stat. 54, reauthorized and amended the Violence Against Women Act of 1994, as previously amended (title IV, sec. 40001-40703 of Public Law 103-322, 42 U.S.C. 13925 et seq.). In doing so, VAWA 2013 expanded the VAWA protections that applied to HUD's Section 8 and Public Housing programs and widened the range of HUD's housing programs that are subject to VAWA protections. The provisions of VAWA 2013 that afford protections to victims of domestic violence, dating violence, sexual assault, and stalking are statutory and statutorily directed to be implemented. Accordingly, on November 16, 2016, HUD published a final rule at 81 FR 80724 (VAWA Rule), implementing VAWA 2013's provisions in its housing programs. The Violence Against Women Act Reauthorization Act of 2022 (VAWA 2022) was signed March 15, 2022, however certain

provisions are not self-implementing. Once VAWA 2022 has been implemented this PRA will be further updated, as appropriate.

The HUD programs that include VAWA protections as required by VAWA 2013 and the VAWA rule include:

- Section 202 Supportive Housing for the Elderly (12 U.S.C. 1701q);
- Section 811 Supportive Housing for Persons with Disabilities (42 U.S.C. 8013);
- Housing Opportunities for Persons with AIDS (HOPWA) program (42 U.S.C. 12901 et seq);
- HOME Investment Partnerships (HOME) program (42 U.S.C. 12741 et seq.);
- Homeless programs under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), including the Emergency Solutions Grants (ESG) program; the Continuum of Care (CoC) program; and the Rural Housing Stability Assistance program;
- Multifamily rental housing under section 221(d)(3) of the National Housing Act (12 U.S.C. 17151(d)) with a below-market interest rate (BMIR) pursuant to section 221(d)(5);
- Multifamily rental housing under section 236 of the National Housing Act (12 U.S.C. 1715z-1);
- HUD programs assisted under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.); specifically, public housing under section 6 of the 1937 Act (42 U.S.C. 1437d), tenant-based and project-based rental assistance under section 8 of the 1937 Act (42 U.S.C. 1437f), and the Section 8 Moderate Rehabilitation Single Room Occupancy; and
- The Housing Trust Fund (12 U.S.C. 4568).

To assure covered housing providers (CHPs) under the programs listed above comply with VAWA 2013 and the VAWA Rule, the Department must provide to all CHPs certain model documents for use, as follows:

- **Form HUD-5380: Notice of Occupancy Rights Under the Violence Against Women Act.** HUD must provide this notice to CHPs, which must, in turn, distribute it to tenants and to applicants at the times specified in the VAWA rule at minimum to ensure they are aware of their rights under VAWA and its implementing regulations. CHPs must add specific information to this form as indicated by the imbedded instructions. The use of “we” or “us” and use of shorthand will require customization depending on whether the provider and the landlord are the same, and, particularly for the CPD programs, the program decisions made by the grantee and subgrantee.
- **Form HUD-5381: Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking.** HUD must provide this model document to CHPs. CHPs must develop their own emergency transfer plans, as required by the VAWA rule, must make their emergency transfer plan available upon request, and, when feasible, must make their plan publicly available. CHPs may, at their discretion, use HUD-5381 to develop these plans. This model contains only general provisions of an emergency transfer plan that apply across the covered HUD programs. Adoption of this model plan without further customization and information concerning how the emergency transfer plan will operate will not be sufficient to meet a covered housing provider’s responsibility to adopt an emergency transfer plan. CHPs must consult the applicable regulations and are encouraged to consult program-specific HUD guidance when developing their own emergency transfer plans to ensure those plans contain all required elements.
- **Form HUD-5382: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation.** HUD must provide this certification form to CHPs, which must, in turn, distribute it to tenants and applicants as a required complement and extension of the required Notice of Occupancy Rights Under the Violence Against Women Act (Form HUD-5380). As further explained on the Form

HUD-5382, an applicant or tenant who is asking for or about VAWA protections may choose to fill out and submit this certification form as one of the four legally acceptable options the VAWA final rule provides for answering any covered housing provider's written request for documentation that an individual is or has been a victim of domestic violence, dating violence, sexual assault, or stalking or that a covered incident or incidents of domestic violence, dating violence, sexual assault, and stalking occurred. (Note: This is a revision of and supersedes form HUD-50066. VAWA 2013 required that the form be updated and made applicable to all covered housing programs.)

- **Form HUD-5383: Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking.** HUD provides this model emergency transfer request form to CHPs. CHPs may, at their discretion, distribute it to tenants and applicants. This form serves as a model for use by a CHP to accept requests for emergency transfers under its required VAWA 2013 Emergency Transfer Plan.

HUD has, as part of this package, revised the forms that were published with HUD's final rule in order to more closely align with the rule and to clarify language. In addition to the minor changes, HUD makes the following specific changes:

- **Form HUD-5380:** Streamline information and language used in the notice to reduce pages. Translated regulatory language into plain language. Made titles of sections into questions that directly address the reader. CHPs must add specific information to this form as indicated by the imbedded instructions. Other areas of the form may be used by the provider to include customized information as necessary. The use of "we" or "us" and use of shorthand will require some customization depending on whether the provider (grantee/recipient) and the landlord are the same, and, particularly for the Office of HIV/AIDS Housing (OHH) and Office of Special Needs Assistance Programs (SNAPS), the program decisions made by the grantee/recipient.

- **Form HUD-5381:** Add a note to covered housing providers that the use of the model form without adding program specific and housing provider specific policies will not be sufficient to meet the emergency transfer plan requirements. Add a definition section with definitions taken from the regulation. Rename the section titled “Emergency Transfer Timing and Availability” to “Emergency Transfer Procedures” and add two new sections, “Emergency Transfer Policies” section, which clarifies that the provider must specify their individual policies for different categories of transfers (i.e. internal or external transfers) where applicable, and a “Priority for Transfers” section, which requires providers to provide any type of priority being provided to a victim consistent with 24 CFR 5.2005(e)(3) and (e)(6). Update the “Confidentiality” section to more closely follow the regulation at 24 CFR 5.2007(c) and put individuals on notice of confidentiality protections. Lastly, add a “Making Plan Available” section to describe how the plan will be made publicly available, where possible.
- **Form HUD-5382:** Update the “Submission of Documentation” section to include information about reasonable accommodations.
- **Form HUD-5383:** Update the “Confidentiality” section to use more plain language. Added information about family members in household, current address, best method of contact, what type of transfer is being requested, what features they want to request in a safe unit, and optional documentation to include with form.

In addition, the Department seeks approval for the following information collection activities required by VAWA 2013 and HUD’s final rule:

- *Lease Addendum:* The VAWA regulation includes certain requirements that must be incorporated into tenants’ leases.

- *Emergency Transfer Reporting:* CHPs must keep a record of all emergency transfers requested under its emergency transfer plan, and the outcomes of such requests, and retain these records for a period of three years, or for a period of time as specified in program regulations. Requests and outcomes of such requests must also be reported to HUD annually. Requests and outcomes of such requests must be reported to HUD annually. HUD proposes to include the following data fields in its program reporting systems to help standardize the information CHPs provide on emergency transfer requests and outcomes of those requests:

- Total number of VAWA Emergency Transfer Requests
- Number of requests that resulted in Internal Transfers
- Number of requests that resulted in External Transfers
- Number of requests yet to be placed
- Number of approved Emergency Transfer requests that resulted in no transfer
- Number of requests that did not qualify for Emergency Transfer and were denied
- Length of time needed to process emergency transfers

Consistent with House Report 116-109, part of the fiscal year 2022 Omnibus Spending Bill, Pub. L. 113-4, HUD is also adding a request as part of this information collection to seek information about the extent to which public housing agencies and owners, and managers have adopted VAWA emergency transfer policies since the publication of the Department's model emergency transfer plan, and the effectiveness of those emergency transfer policies in allowing victims to access safe housing. The information would include the type of covered housing provider; a request for sharing their VAWA emergency transfer plan and whether such plan is publicly available; how many VAWA emergency transfer requests were received over the last three years and outcome of those requests; a request for indicating if a waiting list preference is available for victims of domestic violence, sexual assault, dating violence, and stalking; information about collaborations or coordination with consortiums or other providers for

purposes of providing housing and services for victims; whether a VAWA service coordinator exists; and whether a VAWA lease bifurcation policy exists. This information may be collected by way of email communication, updated systems, or survey. This collection is also consistent with reporting in 24 CFR part 5, Subpart L. HUD expects to request this information annually and it would take housing providers one hour per annual submission.

- *Lease Bifurcation Option:* VAWA 2013 mandates that HUD provide for lease bifurcation. In other words, CHPs may, subject to their program rules and state and local law, bifurcate a lease in order to evict or remove any member of a household who has allegedly engaged in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, while allowing the victim and other members of the household to remain. This is optional.
- *Respondents (i.e. affected public):* Public housing agencies, private multifamily housing owners and management agents, state and local agencies, and grant recipients.

Estimated Number of Respondents: 328,485

Estimated Number of Responses: 7,969,000

Frequency of Response: Varies. For the HUD-5380 and HUD-5382 there are approximately 3,918 Public Housing and Housing Choice Voucher respondents with 801 responses per respondent. For Multifamily Housing there are approximately 23,000 respondents with 104 responses per respondent. For HOME there are 1,874 respondents with approximately 62 responses. For HOPWA there are 255 respondents with 176 responses. For Homelessness programs (CoC, ESG, Rural Housing Stability) there are 1,040 respondents with 410 responses.

Each respondent indicated will have to complete an emergency transfer plan using the HUD-5381 or other format. For the HUD-5382 certification for documentation by survivor and emergency transfer request there are approximately 210,725 responses. For the HUD-5382 and

HUD-5383 certification for documentation by professional and emergency transfer request there are 69,714 responses.

24 C.F.R. Section and Description of Activity	Number of Respondents	Frequency of Response (Annual, per respondent)	Annual Responses	Est. Avg. Time for Requirement (Hours)	Annual Hour Burden	Cost per Hour	Total Cost
5.2005(a) Form HUD-5380: Notice of Occupancy Rights and form HUD-5382: Certification Form-Distribution and Review							
Public Housing and Housing Choice Voucher (HCV)							
Annual Average of Denied Admissions	3,918	7	27,426	0.08	2,194	\$24	\$52,658
Annual Average of new Households that Move In	3,918	55	215,490	0.08	17,239	\$24	\$413,741
Annual Average of Eviction Notices Sent	3,918	3	11,754	0.08	940	\$24	\$22,568
Multifamily Housing							
Annual Average of Denied Admissions	23,000	15	345,000	0.08	27,600	\$24	\$662,400
Annual Average of new Households that Move In	23,000	9	207,000	0.08	16,560	\$24	\$397,440
Annual Average of Eviction Notices Sent	23,000	10	230,000	0.08	18,400	\$24	\$441,600

24 C.F.R. Section and Description of Activity	Number of Respondents	Frequency of Response (Annual, per respondent)	Annual Responses	Est. Avg. Time for Requirement (Hours)	Annual Hour Burden	Cost per Hour	Total Cost
HOME							
Annual Average of Denied Admissions	1,874	20	37,480	0.08	2,998	\$24	\$71,962
Annual Average of new Households that Move In	1,874	16	29,984	0.08	2,399	\$24	\$57,569
Annual Average of Eviction Notices Sent	1,874	8	14,992	0.08	1,199	\$24	\$28,785
HOPWA							
Annual Average of Denied Admissions	255	20	5,100	0.08	408	\$24	\$9,792
Annual Average of new Households that Move In	255	20	5,100	0.08	408	\$24	\$9,792
Annual Average of Eviction Notices Sent	255	10	2,550	0.08	204	\$24	\$4,896
Homeless (CoC, ESG, and Rural Housing Stability)							
Annual Average of Denied Admissions	1,040	5	5,200	1.5	7,800	\$24	\$187,200
Annual Average of new Households that Move In	1,040	1	1,040	1.5	1,560	\$24	\$37,440
Annual Average of Eviction Notices Sent	1,040	1	1,040	1.5	1,560	\$24	\$37,440
24 C.F.R. Section and Description of Activity	Number of Respondents	Frequency of Response (Annual, per respondent)	Annual Responses	Est. Avg. Time for Requirement (Hours)	Annual Hour Burden	Cost per Hour	Total Cost
5.2005(e) Form HUD-5381: Emergency Transfer Plan-Completion							

Public Housing and Housing Choice Voucher (HCV)	3,918	1	3,918	8	31,344	\$24	\$752,256
Multifamily Housing	23,000	1	23,000	8	184,000	\$24	\$4,416,000
HOME	11,874	1	1,874	8	14,992	\$24	\$359,808
HOPWA	255	1	255	8	2,040	\$24	\$48,960
Homeless (CoC, ESG, and Rural Housing Stability)	1,040	1	1,040	4	4,160	\$24	\$99,840
5.2007(b) Form HUD-5382: Certification Form--Documentation by Survivor							
Public Housing and Housing Choice Voucher (HCV)	3,918	10	39,180	0.33	12,929	\$7.25	\$93,738
Multifamily Housing	23,000	6	138,000	0.33	45,540	\$7.25	\$330,165
HOME	1,874	15	28,110	0.33	9,276	\$7.25	\$67,253
HOPWA	255	5	1,275	0.33	421	\$7.25	\$3,050
Homeless (CoC, ESG, and Rural Housing Stability)	1,040	4	4,160	0.5	2,080	\$7.25	\$15,080

24 C.F.R. Section and Description of Activity	Number of Responde nts	Frequency of Response (Annual, per respondent)	Annual Responses	Est. Avg. Time for Requirem ent (Hours)	Annual Hour Burden	Cost per Hour	Total Cost
5.2007(b)(1)(ii) Form HUD-5382: Certification Form--Documentation by Professional							
Public Housing and Housing Choice Voucher (HCV)	3,918	3	11,754	0.5	5,877	\$24	\$141,048
Multifamily Housing	23,000	2	46,000	0.5	23,000	\$24	\$552,000
HOME	1,874	5	9,370	0.5	4,685	\$24	\$112,440
HOPWA	255	2	510	0.5	255	\$24	\$6,120
Homeless (CoC, ESG, and Rural Housing Stability)	1,040	2	2,080	0.5	1,040	\$24	\$24,960
5.2005(e) Form HUD-5383: Emergency Transfer Request—Documentation by Survivor							
Public Housing and Housing Choice Voucher (HCV)	3,918	10	39,180	0.33	12,929	\$7.25	\$93,738
Multifamily Housing	23,000	3	69,000	0.33	22,770	\$7.25	\$165,083
HOME	1,874	5	9,370	0.33	3,092	\$7.25	\$22,418
HOPWA	255	5	1,275	0.33	421	\$7.25	\$3,050
Homeless (CoC, ESG, and Rural Housing Stability)	1,040	4	4,160	0.5	2,080	\$7.25	\$15,080

24 C.F.R. Section and Description of Activity	Number of Responde nts	Frequency of Response (Annual, per respondent)	Annual Responses	Est. Avg. Time for Requirem ent (Hours)	Annual Hour Burden	Cost per Hour	Total Cost
5.2005(e) Form HUD-5383: Emergency Transfer Request—Annual Reporting							
Public Housing and Housing Choice Voucher (HCV)	3,918	1	3,918	1	3,918	\$24	\$94,032
Multifamily Housing	23,000	1	23,000	1	23,000	\$24	\$552,000
HOME	1,874	1	1,874	3	5,622	\$24	\$134,928
HOPWA	255	1	255	1	255	\$24	\$6,120
Homeless (CoC, ESG, and Rural Housing Stability)	1,040	1	1,040	1	1,040	\$24	\$24,960
5.2005(a) Lease Addendum—Distribution and Review							
Public Housing and Housing Choice Voucher (HCV)	3,918	59	231,162	0.5	115,581	\$24	\$2,773,944
Multifamily Housing	23,000	24	552,000	0.5	276,000	\$24	\$6,624,000
HOME	1,874	18	33,732	0.5	16,866	\$24	\$404,784
HOPWA	255	50	12,750	0.5	6,375	\$24	\$153,000
Homeless (CoC, ESG, and Rural Housing Stability)	1,040	403	419,120	0.5	209,560	\$24	\$5,029,440

24 C.F.R. Section and Description of Activity	Number of Responde nts	Frequency of Response (Annual, per respondent)	Annual Responses	Est. Avg. Time for Requir ement (Hours)	Annual Hour Burden	Cost per Hour	Total Cost
5.2009 Lease Bifurcation							
Public Housing and Housing Choice Voucher (HCV)	3,918	4	15,672	8	125,376	\$24	\$3,009,024
Multifamily Housing	23,000	4	92,000	2	184,000	\$24	\$4,416,000
HOME	1,874	3	5,622	2	11,244	\$24	\$269,856
HOPWA	255	2	510	2	1,020	\$24	\$24,480
Homeless (CoC, ESG, and Rural Housing Stability)	1,040	0.5	520	1.5	780	\$24	\$18,720
NEW: Emergency Transfer Report							
Public Housing and Housing Choice Voucher (HCV)	3,918	1	3,918	1	3,918	\$24	\$94,032
Multifamily Housing	23,000	1	23,000	0.5	11,500	\$24	\$276,000
Grand Total	328,485	Varies	7,968,918	Varies	2,856,717		\$339,292,658

Notes:

- This matrix amends the one of the same titles provided in the OMB Emergency PRA approval, 2577-0286, approved 12/13/2016, which provided for 3,622,370 hours.
- For each category, HUD assumes the following breakdown of Covered Housing Provider respondents in covered programs: 3,918 public housing agencies that administer either or both public housing and HCV; 23,000 Multifamily Housing properties; 1,874 HOME Participating Jurisdictions (PJs) and housing owners; 255 HOPWA grant recipients, and 1,040 Homeless (CoC, ESG, and Rural Housing Stability) grant recipients.

- The “Frequency of Response (annual, per respondent)”, provides the estimated average of actions anticipated for each CHP in each program area. For example, HUD estimates that each Multifamily Housing property will deny assistance to 20 applicants each year. Therefore, the total number of responses and total number of Multifamily Housing assistance denials in one year is $23,000 \times 20 = 460,000$. Similarly, HUD estimates that each of the 255 HOPWA grant recipients will receive 5 completed Certification forms each year. The total number of responses and total number of certifications received in the HOPWA program in one year is $255 \times 5 = 1,275$.
- The \$24 hourly rate is based on an average salary of \$50,000 per annum. An internet search on 11/5/2020 shows housing specialist positions with an average of \$40,000 per annum and \$55,000 per annum for residential property managers. This dollar amount is a reasonable average for employees of CHPs at differing levels of seniority.
- \$7.25 is used as the cost to tenants, as it is the federal minimum hourly wage amount.

Average Hours per Response: 0.39

Total Estimated Burdens: 2,856,718

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

- 1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- 2) The accuracy of the agency's estimate of the burden of the proposed collection of information;
- 3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

5) HUD solicits comment on the implementation of the requirement that covered housing providers must keep a record of all emergency transfers requested under its emergency transfer plan, and the outcomes of such requests, and that such data must be reported to HUD annually. Specifically, is HUD's list of potential outcomes adequate or are there outcomes that should be added or modified? Further, HUD proposes to collect data on the "length of time" for emergency transfers to be implemented. What is an appropriate measure for "length of time" for emergency transfers? Should a covered housing provider only measure from when the emergency transfer was requested to approval/denial and/or should it be measured to move-in date? If a victim is issued a Housing Choice Voucher (HCV) as a result of their emergency transfer request, should the length of time be measured from request to voucher issuance and/or lease-up date? Should covered housing providers be able to explain the circumstances that affected the length of time for emergency transfers (e.g., the victim turned down offered units due to safety concerns)?

HUD encourages interested parties to submit comment in response to these questions.

C. AUTHORITY: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Laura Miller-Pittman,
Chief Office of Policy,
Programs and Legislative Initiatives.

Billing Code: 4210-67

Protections for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking

What is the Violence Against Women Act (VAWA)? This notice describes protections that may apply to you as an applicant or a tenant under a housing program covered by the Violence Against Women Act of 1994, as amended (VAWA). VAWA provides protections for victims of domestic violence, dating violence, sexual assault or stalking. Applicable protections must be in VAWA-covered leases and other program documents, as applicable. These protections may be raised at any time. To learn more about these protections or read this information in Spanish or another language, please contact [INSERT COVERED HOUSING PROVIDER (HP) CONTACT INFORMATION] or go to [INSERT WEBSITE, IF APPLICABLE].

What the words in this notice mean:

- *VAWA violence/abuse* means one or more incidents of domestic violence, dating violence, sexual assault or stalking.
- *Victim* means any victim of *VAWA violence/ abuse*, regardless of actual or perceived sexual orientation, gender identity, sex, or marital status.
- *Affiliated person* means the tenant's spouse, parent, sibling, or child; or any individual, tenant, or lawful occupant living in the tenant's household; or anyone for whom tenant acts as parent/guardian.
- "*We*" or "*us*" means [ENTER NAME OF EACH COVERED HOUSING PROVIDER FOR THE HOUSING OR RENTAL ASSISTANCE AND SPECIFY WHEN DIFFERENT FOR DIFFERENT PURPOSES (E.G. DOCUMENTATION)].

What if I am an applicant under a program covered by VAWA? You can't be denied assistance covered by VAWA or admission to any housing covered by VAWA just because you (or a member of your household) are or were a victim or just because of problems you or a member of your household has had as a direct result of being or having been a victim

What if I am a tenant under a program covered by VAWA? You can't be removed from a housing program covered by VAWA, lose your assistance covered by VAWA, or be evicted just because of real or threatened abuse against you or a member of your household, the fact that you (or a member of your household) are or were a victim, or problems you (or a member of your household) have as a direct result of being or having been a victim. Nor can you be evicted or be removed from your housing just because of another person's criminal actions that directly relate to the abuse or threatened abuse against you or an affiliated person.

How can I remove an abuser from my household? Depending on applicable state law and program rules, your lease or assistance may be "bifurcated" to remove or evict ONLY the person doing the alleged criminal activity directly relating to the abuse. [For HOME and housing trust fund programs, INSERT "The remaining tenant(s) can keep receiving assistance or living in the assisted housing as applicable." For the Continuum of Care Program (except for permanent supportive housing), HUD-VASH program, ESG program, Section 221(d)(3) Program, or Section 221(d)(5) Program, INSERT "The remaining family member(s) can keep receiving assistance or living in the assisted housing as applicable." For permanent supportive housing funded by the Continuum of Care Program, INSERT "If that person is the qualifying member of your household, the remaining household member(s) can still receive rental assistance until expiration of the lease in effect when that person is evicted." For the HCV and public housing programs, INSERT "If a household's eligibility was based on the person removed, the other household member(s) must be given 30 calendar days to establish program eligibility or find alternative housing. In all other cases, INSERT the preceding sentence for HCV and Public Housing Programs BUT REPLACE "30 calendar days" WITH: the APPLICABLE time period in the table in Section XVII of Notice H 2017-05 (for HUD multifamily programs); the APPLICABLE grace period set by the HOPWA Grantee or Project sponsor (for HOPWA); or "until the end of the lease term or 90 calendar days (whichever is sooner)" for the Rural Housing Stability Assistance Program.].

Are there any reasons that I can be evicted or lose assistance? Although you can't be held to a more demanding standard because you or an affiliated person is a victim, you can still be evicted or lose assistance for a lease violation or program violation or other requirements that is not due to the VAWA violence/ abuse committed against you or an affiliated person. VAWA also will not prevent eviction, termination, or removal if other tenants or housing staff are shown to be in immediate, physical danger that could lead to serious bodily harm or death if you are not evicted or removed from assistance.

How can tenants request an emergency transfer? An emergency transfer cannot be guaranteed, but you can request an emergency transfer when: (1) you (or a member of your household) are a victim of VAWA violence/abuse; (2) you specifically request the emergency transfer; and either (3)(A) you reasonably believe you (or a member of your household) will soon face more violence if you stay in your housing; or (B) you (or a member of your household) are a victim of sexual assault that occurred on the premises and you request an emergency transfer within 90 days (including holidays and weekend days) after the date of that assault. You can request an emergency transfer even if you owe rent. If you request an emergency transfer, your request, the information you provided to make the request, and your new unit's location must be kept strictly confidential. To request an emergency transfer or read the emergency transfer plan we are required to follow and to make available

to you upon request, [ENTER SPECIFIC CONTACT INFORMATION, WEBSITE, AND/OR INSTRUCTIONS FOR REQUESTING AN EMERGENCY TRANSFER OR A COPY OF THE APPLICABLE EMERGENCY TRANSFER PLAN]. The emergency transfer plan includes what we do to make sure your address and other relevant information are not disclosed to your abuser.

What do I need to document that I am a victim? If you ask for VAWA protection, we may request documents showing that you are a victim (which includes if a member of your household is a victim). BUT this request must be in writing and must give you at least 14 business days (weekends and holidays do not count) to respond, AND you are free to choose any ONE of the following:

1. A self-certification form, which we must give you along with this notice and either you fill out or someone fills out for you. The form asks for your name; the abuser's name, if known and safe to provide; and a description of the incident(s). It also further explains your confidentiality rights under VAWA.
2. A statement from a victim service provider, attorney, mental health professional or medical professional who has helped you address incidents of VAWA violence/ abuse. The professional must state "under penalty of perjury" that he/she/they believes that the incidents of VAWA violence/ abuse are real and covered by VAWA. Both you and the professional must sign the statement.
3. A police, administrative, or court record (such as a protective order) that shows you (or a member of your household) were a victim of VAWA violence/ abuse. [HP MAY INSERT AS #4 ANY OTHER STATEMENT OR EVIDENCE THAT CAN BE PROVIDED AS DOCUMENTATION THE APPLICANT OR TENANT IS A VICTIM]

If you do not provide one of these forms of documentation by the deadline, we do not have to provide the protection you requested. If the documentation we receive has conflicting information about the abuse, we may require you to provide documents under #2 or #3 [OR ENTER #4, IF APPLICABLE] above, but we must give you another 30 business days to do so.

Confidentiality If you share information with your housing agency, manager or landlord about why you need VAWA protections, we will keep the information you share confidential.

Exceptions:

- 1) If you ask us to share that information;
- 2) If we need to use that information to try to evict the person accused of being the abuser; or
- 3) If other laws require us to share the information.

How do other laws apply? VAWA does not prevent or excuse us from following laws that provide more protection to victims or court orders that concern your home or property. We must follow all applicable fair housing and civil rights requirements. If you have a disability, we must provide reasonable accommodations to rules, policies, practices, or services that may be necessary to allow you to equally benefit from VAWA protections (for example, giving you more time to submit documents, or assistance with filling out forms). We must ensure effective communication with individuals with disabilities. If you speak or read in a language other than English, we must give you language assistance regarding your VAWA protections (for example, oral interpretation and/or written translation).

Have your protections under VAWA been denied? If you believe we have violated these rights, you may seek help by contacting [INSERT LOCAL HUD FIELD OFFICE & CONTACT INFORMATION]

Need further help?

- For advice concerning an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-7233 or 1-800-787-3224 (TTY).
- For advice concerning sexual assault, call the National Sexual Assault Hotline at 1-800-656-4673.
- For advice concerning stalking, visit <https://victimconnect.org/> or call 1-855-4VICTIM (1-855-484-2846).
- To talk with a housing advocate, contact [ENTER CONTACT INFO FOR LOCAL ADVOCACY AND LEGAL AID ORGANIZATIONS].

Public reporting burden for this collection of information is estimated to range from 10 to 90 minutes per each housing provider's response, depending on the program. This includes time to print and distribute the form. Comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to the Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410. This notice is required for covered housing programs under section 41411 of VAWA and 24 CFR 5.2003. Covered housing providers must give this notice to applicants and tenants to inform them of the VAWA protections as specified in section 41411(d)(2). This is a model notice, and no information is being

collected. A Federal agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

DRAFTING NOTES FOR HPs (MUST NOT APPEAR WORD FOR WORD IN PLAN): This model contains only general provisions of an emergency transfer plan that apply across the covered HUD programs. Adoption of this model plan without further information addressing how the emergency transfer plan will operate will not be sufficient to meet a covered housing provider's responsibility to adopt an emergency transfer plan. Covered housing providers (HP) must consult applicable regulations and program-specific HUD guidance when developing their own emergency transfer plans to ensure their plans contain all required elements. Highlighted text throughout this document is used to assist HPs in drafting their policies, and should be removed in actual plan.**[HP ACRONYM] MUST BE REPLACED WITH THE ACRONYM OF THE COVERED HOUSING PROVIDER.**

MODEL EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

[INSERT NAME OF COVER HOUSING PROVIDER [HP ACRONYM]] is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act of 1994, as amended (VAWA), [HP ACRONYM] allows any tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. Despite this law's name, VAWA protections are not limited to women, and are available regardless of a victim's sex, actual or perceived gender identity or sexual orientation, or marital status. Victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must also be made available to all otherwise eligible individuals and families regardless of actual or perceived gender identity, sexual orientation, or marital status.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on Federal regulations at 24 Code of Federal Regulations (CFR) part 5, subpart L, related program regulations, and the model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD). HUD is the Federal agency that oversees that [INSERT NAME OF PROGRAM OR RENTAL ASSISTANCE HERE] is in compliance with VAWA.

Definitions

- *External emergency transfer* refers to an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process in order to reside in the new unit.
- *Internal emergency transfer* refers to an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.
- *Safe unit* refers to a unit that the victim of VAWA violence/abuse believes is safe.
- *VAWA violence/ abuse* means an incident or incidents of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in 24 CFR 5.2003 and "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking" (Form HUD-5382).

Eligibility for Emergency Transfers

A tenant may seek an emergency transfer to another unit if the tenant or a household member is a victim of VAWA violence/ abuse, as explained in the “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380 (VAWA Notice). This Emergency Transfer Plan provides further information on emergency transfers, and [HP ACRONYM] must provide a copy if requested. Before allowing an emergency transfer, [HP ACRONYM] may ask for submission of a written request or form HUD-5383 to certify eligibility.

A Tenant is eligible for an emergency transfer if:

- (1) Tenant (or a household member) is a victim of VAWA violence/abuse;
- (2) Tenant specifically requests the emergency transfer, and
- (3) Tenant reasonably believes* they will soon face more violence if they stay in their housing

OR

Tenant is a victim of sexual assault that occurred on the premises and have requested an emergency transfer within 90 days (including holidays and weekend days) after the date of that assault.

**Reasonable belief may stem from VAWA violence/abuse concerning a household member.*

A housing provider, in response to an emergency transfer request, should not evaluate whether the tenant is in good standing as part of the assessment or provision of an emergency transfer

Emergency Transfer Policies

[INSERT HP’S EMERGENCY TRANSFER POLICIES, INCLUDING THE FOLLOWING, WHERE APPLICABLE]

Internal transfers when a safe unit is immediately available:

[INSERT HP’S POLICIES, INCLUDING TIME FRAMES, POSSIBLE INTERNAL TRANSFER LOCATIONS, AND PRIORITY STATUS RELATIVE TO OTHER TENANTS SEEKING TRANSFERS.]

Internal transfers when a safe unit is not immediately available:

[INSERT HP’S POLICIES, INCLUDING TIME FRAMES, POSSIBLE INTERNAL TRANSFER LOCATIONS, AND PRIORITY STATUS RELATIVE TO OTHER TENANTS SEEKING TRANSFERS.]

External transfers:

[INSERT HP’S POLICIES, INCLUDING HP’S ROLE IN FACILITATING TRANSFERS; IDENTIFYING AND DESCRIBING ANY TRANSFER AGREEMENTS WITH OUTSIDE HPS, PROVIDING REFERRALS TO COMMUNITY PARTNERS AND AFFORDABLE HOUSING OPTIONS, TIME FRAMES, AND PRIORITY STATUS GIVEN TO VAWA VICTIMS SEEKING EXTERNAL TRANSFERS INTO HP’S PROPERTY.]

[INSERT POLICIES AND PROCEDURES FOR ASSISTING TENANTS WITH HOUSING CHOICE VOUCHERS OR OTHER TENANT-BASED RENTAL ASSISTANCE WHO QUALIFY FOR AN EMERGENCY TRANSFER TO MOVE QUICKLY WITH THAT ASSISTANCE.]

VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. [HP ACRONYM] may be unable to transfer a tenant to a particular unit if the tenant cannot establish eligibility for that unit.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify [ENTER SPECIFIC CONTACT INFORMATION, WEBSITE, AND/OR INSTRUCTIONS FOR REQUESTING AN EMERGENCY TRANSFER OR A COPY OF THE APPLICABLE EMERGENCY TRANSFER PLAN] and submit a written request for a transfer to [INSERT LOCATION]. Unless [HP ACRONYM] receives conflicting documentation, as described in 24 CFR 5.2007(b)(2), [HP ACRONYM] cannot require third-party documentation to determine emergency transfer eligibility. [HP ACRONYM] will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer must include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the tenant's current dwelling unit; OR
2. In the case of a tenant who is a victim of sexual assault, either a statement that the tenant reasonably believes there is a threat of imminent harm from further violence if the tenant remains within the same dwelling unit that the tenant is currently occupying, or a statement that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

DRAFTING NOTES FOR HPs (MUST NOT APPEAR WORD FOR WORD IN PLAN)

- The emergency transfer plan must include the length of time (at least 14 business days) that the tenant has to provide the requested documentation.
- HPs are not required to request documentation from a tenant seeking an emergency transfer. However, if a HP elects to require documentation from tenants seeking an emergency transfer then the documentation requirement must be included in the HP's emergency transfer plan and must comply with 24 CFR 5.2005(e)(10).
- HPs do not have to require that emergency transfer requests be written. The request may be oral or written, at the HP's option, but the HP must make its policy and procedures clear in this plan.
- HPs cannot require any third-party documentation in order to determine whether a tenant seeking an emergency transfer is eligible for an emergency transfer, unless HP receives documentation of VAWA violence/ abuse that contains conflicting information.

Priority for Transfers

Tenants who qualify for an emergency transfer under VAWA will be given the following priority over other categories of tenants seeking transfers and individuals seeking placement on waiting lists. [INSERT ANY MEASURE OF PRIORITY GIVEN UNDER THIS EMERGENCY TRANSFER PLAN.]

DRAFTING NOTES FOR HPs (MUST NOT APPEAR WORD FOR WORD IN PLAN)

- The emergency transfer plan must detail the measure of any priority given to tenants who qualify for an emergency transfer under VAWA in relation to other categories of tenants seeking transfers and individuals seeking placement on waiting lists.
- The emergency transfer plan must allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available.
- The emergency transfer plan must ensure that requests for internal emergency transfers under VAWA receive, at a minimum, any applicable additional priority that housing providers may already provide to other types of emergency transfer requests.
- HPs should also refer to the applicable program regulations to determine if priorities or admission preferences are required with respect to external emergency transfers.

Confidentiality

If a tenant inquires about or requests any of the protections described in this Notice or represents that they are a victim of VAWA violence/abuse entitled to the protections under this Notice, [HP ACRONYM] must keep any information they provide concerning the VAWA abuse and their status as a victim strictly confidential. All the information provided by or on behalf of the tenant to support an emergency transfer request, including information on the Certification form, HUD-5382, and the Emergency Transfer Request form, HUD-5383, (collectively referred to as “Confidential Information”) may only be accessed by [HP ACRONYM] employees or contractors if explicitly authorized by [HP ACRONYM] for reasons that specifically call for those individuals to have access to that information under applicable Federal, State, or local law.

Confidential information must not be entered into any shared database or disclosed to any other entity or individual, except if:

- Requested or consented to in writing by the tenant in a time-limited release;
- Required for use in an eviction proceeding or hearing regarding termination of assistance, or
- Otherwise required by applicable law.

In addition, HUD’s VAWA regulations require Emergency Transfer Plans to provide strict confidentiality measures to ensure that the location of the victim’s dwelling unit is never disclosed to a person who committed or threatened to commit the VAWA violence/abuse. Accordingly, [INSERT ANY SPECIFIC MEASURES HERE.]

Emergency Transfer Procedure

[HP ACRONYM] cannot specify how long it will take to process a transfer request. [HP ACRONYM] will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If [HP ACRONYM] identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. [HP ACRONYM] may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If [HP ACRONYM] has no safe and available units for which the tenant is eligible, [HP ACRONYM] will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant’s request, [HP ACRONYM] will also assist tenants in contacting the local organizations offering assistance to victims of VAWA violence/abuse that are attached to this plan.

Making Plan Available

[INSERT HP’S POLICY FOR MAKING THE PLAN AVAILABLE UPON REQUEST AND, WHEN FEASIBLE, PUBLICLY AVAILABLE.]

All materials must ensure effective communication with individuals with disabilities, including making materials available in alternative accessible formats, as well as providing reasonable accommodations.

In addition, each provider must have VAWA forms available in multiple languages consistent with their language access plan to meet limited English proficiency (LEP) obligations.

Safety and Security of Tenants

When [HP ACRONYM] receives any inquiry or request regarding an emergency transfer, [HP ACRONYM] will encourage the person making the inquiry or request to take all reasonable precautions to be safe, including seeking guidance and assistance from a victim service provider. However, tenants are not required to receive guidance or assistance from a victim service provider.

- Tenants who are or have been victims of domestic violence will be encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).
- Tenants who have been victims of sexual assault will be encouraged to call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online>.
- Tenants who are or have been victims of stalking seeking help will be encouraged to visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.
- [INSERT CONTACT INFORMATION FOR LOCAL ORGANIZATIONS OFFERING ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING.]

DRAFTING NOTES FOR HPs (SHOULD NOT APPEAR WORD FOR WORD IN PLAN)

- This section of the plan and providing additional resources is encouraged, but not required.
- If HP's have arrangements, including memoranda of understanding with other covered housing providers to facilitate moves, this information should be attached to the emergency transfer plan as well.

Public reporting burden for this collection of information is estimated to range from four to eight hours per each covered housing provider's response, depending on the covered housing program. This includes the time to develop program and project-specific emergency transfer policies and develop contacts with local service providers. Comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to the Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410. This is a model plan and housing providers in programs covered by VAWA may, at their discretion, use it to develop their own emergency transfer plans, as required under 24 CFR 5.2005(e). While HUD does not intend to collect emergency transfer plans, HUD may access these plans to ensure compliance with the regulations. A Federal agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

PURPOSE OF FORM: A tenant or applicant who asks for protection under the Violence Against Women Act (VAWA), referred to in this form as “you,” may use this form to fulfill a housing provider’s written request to certify status as a “victim” or document the incident(s) of “VAWA violence/abuse” as explained in the accompanying “Notice of Occupancy Rights Under the Violence Against Women Act,” Form HUD-5380 (VAWA Notice). For protections that depend on more than victim status or VAWA violence/abuse, you (the tenant or applicant) may be asked to provide other information or documentation to show that you qualify. However, you are not expected **and cannot be asked or required**—to claim, document, or prove victim status or VAWA violence/abuse other than as stated in the VAWA Notice.

This form is just **one of your available options** for responding to a housing provider’s written request for documentation of victim status or the incident(s) of VAWA violence/abuse. If you choose, you may submit one of the types of third-party documentation described in the VAWA Notice, in the section titled “What do I need to document that I am a victim?”.

NOTE: VAWA protects individuals and families regardless of a victim’s actual or perceived sexual orientation, gender identity, or marital status.

CONFIDENTIALITY: Your housing provider will keep strictly confidential any information you provide about the VAWA violence/abuse or the fact you are a victim, including the information on this form. This information can only be accessed by a person working for your housing provider if your housing provider explicitly authorizes that person’s access for a reason specifically called for under applicable law. This information will not be given to others or put in a database shared with others, unless your housing provider gets your written permission to do so for a limited time, is required to do so as part of an eviction or termination hearing or is required to do so by law.

Note: Any personal information you share in this form will not be collected nor maintained by HUD and will only be maintained by your Covered Housing Providers according to the confidentiality provisions above.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC
VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request for documentation of VAWA violence/abuse was received:

2. Name(s) of victim(s): _____

3. Name of applicant or tenant making (signing) this certification: _____

4. Name(s) of other member(s) of the household: _____

5. Name of the perpetrator (if known and can be safely disclosed): _____

6. In your own words, briefly describe the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and include the relevant location(s), date(s), time(s) and the victim’s relationship to the perpetrator (if known and can be safely disclosed):

(Please note that you may attach additional pages as needed)

Reasonable Accommodations: If you are an individual with a disability and may need a reasonable accommodation, please contact [INSERT CONTACT]. A reasonable accommodation related to this documentation may include, for example, allowing an oral statement instead of written documentation, or an extension of time to submit the requested documentation.

Regulatory VAWA definitions of domestic violence, dating violence, sexual assault, or stalking:

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim by a person with whom the victim shares a child in common, by a person who lives with or has lived with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence means violence committed by a person:

- (1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (2) Where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; and (iii) The frequency of interaction between the persons involved in the relationship.

Sexual assault means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (1) Fear for the person's individual safety or the safety of others or
- (2) Suffer substantial emotional distress.

Certification of Applicant or Tenant: By signing below, I am certifying that the information provided on this form is true and correct to the best of my knowledge and recollection and that one or more members of my household is or has been a victim of domestic violence, dating violence, sexual assault, or stalking as described in the VAWA definitions above.

Signature_____

Signed on (Date)_____

Public Reporting Burden for this collection of information is estimated to average 30 minutes per response. This includes the time for collecting, reviewing, and reporting. Comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to the Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410. Housing providers in programs covered by VAWA may request certification that the applicant or tenant is a victim of VAWA violence/abuse. A Federal agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

Purpose of Form: If you or a member of your household is a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer for yourself or your household, you may use this form to request an emergency transfer and certify that you are eligible for an emergency transfer under the Violence Against Women Act of 1994, as amended (VAWA). This form refers to domestic violence, dating violence, sexual assault, or stalking as *VAWA violence/abuse*. Despite this law's name, protections are not limited to women, and are available regardless of a victim's sex, actual or perceived gender identity, sexual orientation, or marital status. Submitting this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's Emergency Transfer Plan for more information about emergency transfers. **Note:** Any personal information you share in this form will not be collected nor maintained by HUD and will only be maintained by your Covered Housing Providers according to the confidentiality provisions below.

You may request an emergency transfer when:

- (1) You (or a member of your household) are a victim of VAWA violence/abuse;
- (2) You specifically request the emergency transfer; and
- (3) (A) You reasonably believe* you (or a member of your household) will soon face more violence if you stay in your housing; or
(B) You (or a member of your household) are a victim of sexual assault that occurred on the premises and you request an emergency transfer within 90 days (including holidays and weekend days) after the date of that assault.

**Reasonable belief may stem from VAWA violence/abuse impacting a household member.*

Submission of Documentation: If you have not already done so, your housing provider may require you to document that you, or a member of your household, are a victim of VAWA violence/abuse in addition to completing this emergency transfer request form. This can be met by a self-certification (Form HUD-5382) unless there is conflicting information. If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you may submit that documentation to your housing provider if you choose. See HUD-5380 (VAWA Notice) for more information.

Confidentiality: Your housing provider will keep strictly confidential any information you provide about the VAWA violence/abuse or the fact you are a victim, including the information on this form. This information can only be accessed by a person working for your housing provider if your housing provider explicitly authorizes that person's access for a reason specifically called for under applicable law. This information will not be given to others or put in a database shared with others, unless your housing provider gets your written permission to do so for a limited time, is required to do so as part of an eviction or termination hearing or is required to do so by law. In addition, your housing provider must keep your address strictly confidential to ensure that it is not disclosed to a person who committed or threatened to commit VAWA violence/abuse against you.

TO BE COMPLETED BY OR ON BEHALF OF THE TENANT REQUESTING A TRANSFER

1. **Name(s) of Victim(s):** _____
2. **Your Name** (*if different from victim's*): _____
3. **Name(s) of other member(s) of the household:** _____
4. **Name(s) of other household member(s) who would transfer with the victim:** _____
5. **Address of location from which the victim seeks to transfer:** _____

Best Method of Contact:

☐ Phone

Phone Number: _____

Is it okay to leave a voicemail? ☐ Yes ☐ No

☐ Email

Email Address: _____

☐ Mail

Mailing Address: _____

☐ Other

Please List: _____

6. **Name of the abuser** (if known and can be safely disclosed): _____

7. **Relationship of the abuser to the victim** (if known and can be safely disclosed): _____

8. **What features are requested for a safe unit?** You may also list here any information that would facilitate a suitable transfer, such as accessibility needs, and a description of where it is safe/unsafe for you to live

(Please note, ability to provide is based on availability.)

- | | | |
|---|---|---|
| <input type="checkbox"/> New Neighborhood | <input type="checkbox"/> Second Floor unit (and | <input type="checkbox"/> Well-lit hallways/walkways |
| <input type="checkbox"/> New Building | above) <input type="checkbox"/> Near an Exit | <input type="checkbox"/> 24 Hour Security |
| <input type="checkbox"/> First Floor unit | | <input type="checkbox"/> Other: |

9. **NOTE:** Your housing provider might, in certain circumstances, request written documentation that you are a victim of VAWA violence/abuse. This information can be documented as follows: You can decide which form to submit.

- ☐ HUD Form 5382 *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation*, which asks your name, the abuser's name, if known and safe to provide, and a description of the incident(s).
- ☐ A document signed by a victim service provider, attorney, mental health professional, or medical professional who has helped you address the VAWA violence/abuse. The professional must state "under penalty of perjury" that he/she/they believe in the occurrence of the incident of VAWA violence/abuse and that it is covered by VAWA. Both you and the professional must sign the statement.
- ☐ A police, administrative, or court record (such as a protective order) that shows you (or a member of your household) are a victim of VAWA violence/abuse.
- ☐ At the discretion of your housing provider, a statement or other documentation provided by you.
- ☐ If permitted by your housing provider, a statement or other evidence provided by the tenant.

Certification of Tenant: By signing below, I certify that the following apply to me and my household:

1. I am requesting an emergency transfer.

AND

2. I believe there is a threat of imminent harm to myself or someone in my household if we stay in the same housing unit, AND/OR I or a member of my household was sexually assaulted on the premises of my housing in the last 90 days.

Signature _____ **Signed on (Date)** _____

Public reporting burden for this collection of information is estimated to average 30 minutes per response. This includes the time for collecting, reviewing, and reporting. Comments concerning the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to the Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410. Housing providers in programs covered by VAWA may ask for a written request for an emergency transfer for a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking. Housing providers may distribute this form to tenants and tenants may use it to request an emergency transfer. The information is subject to the confidentiality requirements of VAWA. A Federal agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.